

Atty. Dkt. No. 00CR063/KE

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 35 is requested to be cancelled.

Claims 1, 12, 13, 17 and 31 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-34 and 36-38 are now pending in this application.

Applicant has amended independent claims 1, 12, 13, 17 and 31 to include in some form, the recitation of a satellite receiver on board the mobile platform and data being used on the mobile platform either from the storage unit or from the satellite receiver. Accordingly, the Examiner's rejection under 35 U.S.C. § 102 are no longer applicable as the Podowski reference does not disclose, teach or suggest the use of a satellite receiver among other limitations.

The Examiner rejected claim 35 under 35 U.S.C. § 103 as being unpatentable over Podowski and Hendricks and further in view of Mahany and Miller whereby the Examiner asserts that Miller discloses a mobile platform (vehicle entertainment system 10) comprising a satellite receiver (18), for the advantage of receiving digital broadcast data. Applicant respectfully asserts that the Miller et al. reference may not be used to preclude patentability in accordance with 35 U.S.C. § 103(c). The present application and U.S. Patent Nos. 6,507,952 to Miller et al. were, at the time the invention of the present application was made, owned by Rockwell Collins, Inc. or subject to an obligation of assignment to Rockwell Collins, Inc. The revised 35 U.S.C. § 103(c) "applies to all utility, design and plant patent applications filed on or

-8-

IN THE UNITED  
STATES PATENT AND  
TRADEMARK OFFICE

Application No. 09/493,472

Atty. Dkt. No. 00CR063/KE

after November 29, 1999." MPEP § 706.02(l)(1). The Miller et al. reference was assigned to Rockwell Collins, Inc. and the present application was also assigned to Rockwell Collins, Inc. Accordingly, the two references were commonly owned at the time of the invention. See MPEP § 706.02(l)(2).

Because the Miller et al. reference may not be used to preclude patentability of the present application under 35 U.S.C. § 103(a), Applicant respectfully requests that the Examiner withdraw the rejection of amended claim 31, which, as amended, includes the limitation of original claim 35.

Further, as claims 1, 12, 13 and 17 have been amended with similar limitations, Applicant respectfully submits that claims 1, 12, 13 and 17 and their respective dependent claims are also allowable for reasons similar to those expressed with respect to amended claim 31.

Because of the amendment to the independent claims, Applicant has not addressed all of the Examiner's rejections individually as they are seen as no longer applicable in view of the amendments. Accordingly, Applicant requests that the Examiner find the present reply fully responsive to the Examiner's rejections.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Atty. Dkt. No. 00CR063/KE

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 18-1722. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

Date 13 May 2004

Rockwell Collins, Inc.  
Intellectual Property Department  
400 Collins Road NE M/S 124-323  
Cedar Rapids, IA 52498  
Telephone No. (319) 295-1184  
Facsimile No. (319) 295-8777  
Customer No. 26383

By Nathan O Jensen

Nathan O. Jensen  
Attorney of Record  
Reg. No. 41,460

-10-

IN THE UNITED  
STATES PATENT AND  
TRADEMARK OFFICE

Application No. 09/493,472